



**NEW JERSEY
INTERGOVERNMENTAL
INSURANCE FUND**

Thursday, August 10, 2023

**Meeting via Zoom Video Conference
10:00am - Open Session
Closed Session Immediately Following**

Agenda and Reports

Thursday, August 10, 2023

**Meeting via Zoom Video Conference
10:00am - Open Session
Closed Session Immediately Following**

AGENDA

Meeting Called to Order – *10:00am* – Open Public Meetings Act Read

OPEN PUBLIC MEETINGS ACT

NOTICE OF THIS MEETING WAS GIVEN BY (1) SENDING SUFFICIENT NOTICE HEREWITH TO STAR-LEDGER, (2) POSTING ON THE NJIIF WEBSITE, (3) FILING ADVANCE WRITTEN NOTICE OF THIS MEETING WITH THE CLERK/ADMINISTRATOR OF EACH MEMBER MUNICIPALITY AND (4) POSTING A COPY OF THE MEETING NOTICE ON THE PUBLIC BULLETIN BOARD OF ALL MEMBER MUNICIPALITIES.

Pledge of Allegiance

1. Roll Call of Executive Committee and Professionals for Open Session
2. Approval of Executive Board Meeting Minutes – June 22, 2023
 - Motion to approve minutes of Executive Board Meeting – June 22, 2023
3. Correspondence
4. Finance Report- (Robert Calise)
5. Chairman’s Report
6. Committee Reports
 - a. Nominating (McNamara)
 - b. By-Laws (Kazmark)
 - c. Legislative (Vieiro)
 - d. Coverage (Konopada)
 - e. Professionals/Management Oversight (Tucci)
 - f. Budget/Finance (McNamara)
 - g. Safety/Risk Management (Lazorisak)

- h. New Member & Development (Kazmark)
- 7. Risk Manager's Report (John Serapiglia, Polaris Galaxy)
- 8. Director of Marketing Report (Al Barlas)
- 9. WC Loss Control Consultant's Report (Tim Weir, PMA)
- 10. TPA Report (Jennifer Signs, PMA)
 - Motion to approve all Professionals' Reports
- 11. Bill List (Robert Calise)
 - Motion to approve Bill List
- 12. Old Business
- 13. New Business
- 14. Public Comment

IN ORDER TO DISCUSS MATTERS INVOLVING LITIGATION OR POTENTIAL LITIGATION OR CONTRACT MATTERS, AND IN ORDER TO MAINTAIN THE ATTORNEY-CLIENT PRIVILEGE, THE NJIIF EXECUTIVE BOARD IS AUTHORIZED TO MOVE INTO CLOSED SESSION PURSUANT TO SECTION 12(B)(7) OF THE NJ OPEN PUBLIC MEETINGS ACT (N.J.S.A. 10:4-6, ET SEQ). MINUTES SHALL BE TAKEN DURING THIS CLOSED SESSION AND ONCE THE NEED FOR CONFIDENTIALITY NO LONGER EXISTS WITH REGARD TO EACH MATTER, THE APPLICABLE MINUTES WILL BE MADE AVAILABLE TO THE PUBLIC.

- Motion to move into Closed Session (Closed Session to be convened immediately following the suspension of Open Session, via separate Zoom video conference link)
- 15. *Closed Session – (Eric Nemeth, Esq., Eric J. Nemeth, PC) – Closed Session Matters*
 - Motion to approve minutes of Closed Session from June 22, 2023 Executive Board Meeting
 - Motion to accept Workers Compensation and Multi-Line claims recommendations, and General Counsel's report as presented.
 - Motion to return to Open Session.
 - Motion to approve all actions recommended in Closed Session.
- 16. Adjournment



NEW JERSEY
INTERGOVERNMENTAL
INSURANCE FUND

The Executive Board

MINUTES

Executive Board Meeting of June 22, 2023

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING
June 22, 2023

Call to Order: A meeting of the New Jersey Intergovernmental Insurance Fund was called to order on Thursday, June 22, 2023, at 10:02 a.m. via Zoom video and telephone conference. Chairman Tucci read the Open Public Meetings Act Statement and announced that notices were placed in designated newspapers and posted as required.

Pledge of Allegiance: Chairman Tucci opened the meeting with the Pledge of Allegiance.

1. Roll Call:

Executive Board Members

Chairman: Thomas Tucci (Township of Wayne)
Mayor Keith Kazmark (Borough of Woodland Park)
Beverley Konopada (Borough of Mantoloking)
Cpt. Walter Laurencio (City of Union City)
Alex Lazorisak (Warren County)
Donna M. Vieiro (City of Asbury Park)

Executive Board Alternates, Commissioners and Commissioner Alternates

Joseph D'Arco (Township of Verona)
Patrick Wherry (Township of Maplewood)

NJIIF Professionals, Risk Managers and Others

Matthew McArow, Sr. (GEM – Otterstedt Agency)
David Balken (Balken Risk)
Al Barlas (Director of Marketing/Co-Administrator)
Lou Beckerman (Acrisure)
Robert Calise (CMFO)
Nancy DiMartino (Eric J. Nemeth, P.C/Recording Secretary)
Justin Gallo (Polaris Galaxy/Risk Manager)
Jennifer Gruener (Warren County Mosquito Commission)
Rija Khan, Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator)
Michael Kronyak (Financial Consultant)
Maria Makos (SIP)
Spiro Molfetas (Polaris Galaxy/Risk Manager)
Eric J. Nemeth Esq. (Eric J. Nemeth, P.C.-General Counsel/Co-Administrator)
John Serapiglia (Polaris Galaxy/Risk Manager)
Jennifer Signs (PMA TPA)
Peter Soriero (SIP)

Chairman Tucci made the following announcements: (1) Mayor Keith Kazmark has accepted the Township Manager position with the Borough of Ridgewood. Chairman Tucci congratulated Mayor Kazmark on his career advancement; (2) Donna Vieiro, City Manager for the City of Asbury Park, has announced her retirement effective 12/31/23; Chairman Tucci thanked Donna for her work with the NJIIF and wished her well; (3) the NJIIF's July

27, 2023 meeting will be hosted by the Borough of Mantoloking; further information will be provided.

2. Adjournment of the May 25, 2023 Executive Board Meeting. It was moved by Lazorisak, seconded by Laurencio, that the meeting of the NJIIF Executive Board of May 25, 2023 be adjourned.

Roll Call:
Aye: Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain: None

3. Approval of the Minutes of the Executive Board Meeting of May 25, 2023. It was moved by Vieiro, seconded by Konopada, that the Minutes of the NJIIF's May 25, 2023 Executive Board Meeting be accepted as presented.

Roll Call:
Aye: Tucci, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain: Kazmark

4. Correspondence: GC/Co-Admin Nemeth reported that correspondence was received from DOBI in late May indicating their intent to undertake a new financial review of the NJIIF; GC's office is coordinating with the Fund Professionals to prepare and will keep the Board advised.

5. Finance Report: CFO Calise reported that the monthly Fund financials through 6/19/23, including assessments and claims payments, are in the/ meeting packets, including the latest investment report as of 6/19/23. Calise also provided an overview of the second amendment to the 2023 budget that would be introduced by the Finance Committee at this meeting.

6. Chairman's Report: Chairman Tucci thanked Risk Manager Justin Gallo for all his work on the Property coverage renewal.

7. Committee Reports

- a. Nominating Committee (McNamara) – No report.
- b. By-Law Committee (Kazmark) – No report.
- c. Legislative Committee (Vieiro) – No report.
- d. Coverage Committee (Konopada) –See Agenda Item 17, Closed Session, below.

e. Professionals/Management Oversight Committee (Tucci).

Following an explanation for the mid-year appointment of the Fund’s actuary by Co-Administrator Nemeth, it was moved by Konopada, seconded by Lazorisak, to approve Resolution NJIIF-P-2023-018, Appointment of AIS Risk Management as Actuary for the NJIIF.

Roll Call:
Aye: Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain:

Following a brief explanation for the recommendation to add firms to the NJIIF panel counsel defense list by Co-Administrator Nemeth, It was moved by Lazorisak, seconded by Vieiro, to approve Resolution NJIIF-P-2023-019, Appointment of Additional Panel Defense Counsel for Multi-Line Matters

Roll Call:
Aye: Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain:

f. Budget/Finance Committee (McNamara).

Following a summary of the adjustments to the 2023 budget by CMFO Calise, it was moved by Vieiro, seconded by Laurencio, to approve the NJIIF’s Second Amended 2023 Budget.

Roll Call:
Aye: Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain:

Following a brief explanation for the background for the request to provide a loan to the City of Asbury Park to support its payment of a “tail claim” by Co-Administrator Nemeth, it was moved Kazmark, seconded by Konopada, to approve Resolution NJIIF-O-2023-020, Approval of Payment of McAllister Workers Compensation Tail Claim on behalf of the City of Asbury Park

Roll Call:
Aye: Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain:

Following a presentation on the property and cyber liability quotes obtained and coverages provided by Justin Gallo, it was moved by Vieiro, seconded by Konopada,

to approve Resolution NJIIF-O-2023-21, Renewal of Property/Cyber/Boiler & Machinery Liability Coverages 7/1/23 through 6/30/24.

Roll Call:
Aye: Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain:

- g. Safety/Risk Management Committee (Lazorisak). Commissioner Lazorisak reported that Warren County has undergone training for the handling of fires caused by static electricity at fuel pumps, as a result of an incident at one of the County's facilities. Lazorisak stated that although these types of fires are rare, he wanted to make the Members aware. In addition, Lazorisak reported that the County Fire Academy is in the process of putting together curriculum/training dealing with lithium battery fires and will share that with the NJIIF Members.
8. Member & Development Committee (Kazmark) No report.
9. Risk Manager's Report (Polaris Galaxy). J. Gallo reported that with the Cyber coverage renewal taking place on July 1, 2023, any Members with Cyber claims should report those as soon as possible.
10. Director of Marketing Report (Barlas). Co-Administrator Barlas reported that the new NJIIF website is now live and running (www.NJIIF.org) and he will be working with Safety National in order to interface its training materials with the new website. Barlas further stated that the NJIIF will be seeking quotes through an RFP for proposals for risk management software that will be used to support paperless policy renewals and related services.
11. Loss Control Consultant Report (PMA). J. Signs, on behalf of Tim Weir, reported that PMA has had contact with several members this month to provide in- person training, and that PMA's Safety Seen monthly newsletter has been circulated. Additionally, as part of PMA's Webinar Program, Tim Weir will be hosting a session on 7/20/23 regarding safety strategies for municipal entities. GC/Co-Admin Nemeth commended PMA for their prompt response to the City of Union City's request for assistance following a PEOSHA visit following an employee workplace-related fatality.
12. TPA Report(PMA). J. Signs provided an update on aggregate WC claims received through 6/1/23, including the number of COVID cases. She reported that the total claims reported to date in 2023 are substantially lower than for the same period in 2022 and is below the 5-year average. Claims generally continue to be timely reported. Signs explained that the NJIIF has a total of 411 reported COVID cases with 99 related claim petitions filed to date. Signs also reported that June 2023 is the second month since the beginning of the COVID pandemic (March 2020) that no COVID claims were filed.

It was moved by Konopada seconded by Kazmark to approve all Professionals' Reports.

Roll Call:
Aye Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain: None

13. Bill List. It was moved by Lazorisak, seconded by Kazmark to approve the June Bill List as presented.

Roll Call:
Aye Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain: None

14. Old Business – None.

15. New Business – None

16. Public Comment. Chairman Tucci opened the Public Comment Section of the Meeting. There being no public comment, Chairman Tucci requested a Motion to go into Closed Session.

17. Closed Session. It was moved by Kazmark, seconded by Vieiro, that the Board move into Closed Session.

Roll Call:
Aye: Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain: None

The Open Session portion of the June 22, 2023 Executive Board Meeting was suspended at 10:36 a.m.

THE NEW JERSEY INTERGOVERNMENTAL INSURANCE FUND
MINUTES OF PUBLIC MEETING—Closed Session Summary and Adjournment
June 22, 2023

Call to Order: Closed Session of the June 22, 2023 Meeting of the New Jersey Intergovernmental Insurance Fund was called to order at 10:38 a.m. via Zoom conference.

17. Roll Call:

Executive Board Members

Chairman: Thomas Tucci (Township of Cedar Grove)
Mayor Keith Kazmark (Borough of Woodland Park)
Beverley Konopada (Borough of Mantoloking)
Cpt. Walter Laurencio (City of Union City)
Alex Lazorisak (Warren County)
Donna M. Vieiro (City of Asbury Park)

Minutes of Closed Session May 25, 2023. It was moved by Vieiro, seconded by Laurencio that the Minutes of Closed Session from the NJIIF's meeting of May 25, 2023 be accepted as presented.

Roll Call:
Aye: Tucci, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain: Kazmark

It was moved by Kazmark, seconded by Laurencio, that the WC and ML Claims recommendations and General Counsel's Report be accepted as presented.

Roll Call:
Aye: Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain: Each Executive Board Member abstains as to claims against its Member entity.

It was moved by Konopada, seconded by Vieiro, that the Board return to Open Session.

Roll Call:
Aye: Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay: None
Abstain: None

It was moved by Kazmark, seconded by Lazorisak, to approve all actions presented in Closed Session of the June 22, 2023 Executive Board Meeting, including but not limited to requests for settlement authority, if any, for WC and/or ML matters listed in the Closed Session Motion and the coverage positions recommended in Closed Session.

Roll Call:	
Aye	Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay:	None
Abstain:	Each Executive Board Member abstains as to claims against its Member entity.

18. Adjournment – There being no further business to discuss, it was moved by Konopada, seconded by Vieiro, to adjourn the June 22, 2023 Executive Board Meeting.

Roll Call:	
Aye	Tucci, Kazmark, Konopada, Laurencio, Lazorisak, Vieiro
Nay:	None
Abstain:	None

The NJIIF's June 22, 2023 Meeting was adjourned at 11:17 a.m.



NEW JERSEY
INTERGOVERNMENTAL
INSURANCE FUND

The Executive Board

CLOSED SESSION MATTERS

Closed Session Motion

For the August 10, 2023 Meeting of the New Jersey Intergovernmental Insurance Fund

Following are the matters to be discussed in Closed Session:

Workers Compensation Fund Claim Matters

Case Update Reports, Coverage Recommendations and Requests for Settlement Authority (RSA):

None

Case Update Reports for WC Fund Subrogation/Restitution Claims:

1. Martin adv. City of Asbury Park (W003802729) ----- Pending Matter
2. Smith adv. City of Union City (W003670957) ----- Pending Matter
3. Sommerville adv. City of Union City (W003796136) ----- Pending Matter
4. Velez adv. City of Union City (W003792048) ----- Pending Matter
5. Fox adv. Township of Wayne (W003784148) ----- Pending Matter

Multi-Line Fund Claim Matters

Case Update Reports or Requests for Settlement Authority (RSA):

1. Rivera v City of Asbury Park (1788) ----- Case Closure
2. Thompson, Steven v City of Asbury Park (2044) ----- RSA
3. Solari v. City of Bayonne (2145) ----- Case Closure
4. Barile v. Borough of Hasbrouck Heights (2023)----- RSA
5. Terranova v. Borough of Hasbrouck Heights (1925)----- Case Closure
6. Pimental v. Township of Maplewood (2093)----- RSA
7. Cedeno-Palma v. City of Union City (1965) ----- Case Closure
8. Coello v. City of Union City (1478) ----- Case Closure
9. Perez v. City of Union City (2082) ----- Case Closure
10. Bailey v. Township of Wayne (1798) ----- Case Closure
11. Corrado v. Township of Wayne (2096) ----- Case Closure
12. Rogers v. Township of Wayne (2123)----- Case Closure

Coverage Recommendations for New Claims/Litigation:

1. Asbury Park RCA Tenants v. City of Asbury Park (2434 / L004037466)
2. Breakwater Treatment & Wellness v. City of Asbury Park (2437 / L004040362)
3. Fitzgerald v. City of Asbury Park (2439 / L003569551)
4. LEROF v. City of Asbury Park (2430 / TBA)
5. Metcalf v. City of Asbury Park (2433 / L004028292)
6. Bock v. City of Bayonne (2445 / TBA)
7. Levenson v. City of Bayonne (2443 / L004075443)
8. Patey, Estate of Mary-Ann v. City of Bayonne (2444 / L004075455)
9. De Los Santos v Borough of Hasbrouck Heights (2431 / L003782723)
10. Fenston v. Township of Old Bridge (2435 / L003522937)

11. Smith v. Borough of Roseland (2438 / L003986556)
12. Hall v. City of Union City (2436 / L004040387)
13. West 13 LLC v. City of Union City (2442 / L004077231)
14. Souza v. Township of Wayne(2441 / L004077227)
15. Napolitano v. Borough of Woodland Park (2432 / L003824170)